

Atty. Docket No.: \_\_\_\_\_

Named Inventor: BOUFFARD FITA, FERNANDO

Check One:

Declaration Submitted with Initial Filing  
 Declaration Submitted After Initial Filing (Surcharge under 37 C.F.R. § 1.16(e) Required).

OR:

Complete If Known:

Application No.: PCT/EP2004/050967  
Filing Date June 1, 2004  
Art Unit: \_\_\_\_\_  
Examiner Name: \_\_\_\_\_

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a/below named inventor(s), each of us respectively hereby declares that:

Each of our residences, mailing addresses, and citizenships are as stated below next to our respective names.

I believe I am the original, first, and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**ANESTHETIC COMPOSITION FOR TOPICAL ADMINISTRATION**

the specification of which:

is attached hereto,  
 was filed on (MM/DD/YYYY) June 1, 2004 as  
United States Application Number \_\_\_\_\_ and/or  
PCT International Application Number PCT/EP2004/050967  
and was amended on (MM/DD/YYYY) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by any of us or our legal

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representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>PCT/EP2004/050967</u>	<u>EPO</u>	<u>June 1, 2004</u>	Priority Claimed?
<u>(Number)</u>	<u>(Country)</u>	<u>(Foreign Filing Date -</u> <u>MM/DD/YYYY)</u>	<u>XX</u> Yes      No

<u>(Number)</u>	<u>(Country)</u>	<u>(Foreign Filing Date -</u> <u>MM/DD/YYYY)</u>	<u>Yes</u>	<u>No</u>
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I hereby appoint the attorneys associated with Customer Number 45346, namely:

Peter B. Scull, Reg. No. 37,932      and      Richard J. Holzer, Jr. Reg. No. 42,668

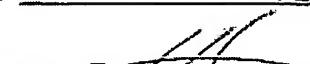
as our respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

Direct all correspondence to the correspondence address of Customer Number 45346; namely:

Peter B. Scull      (telephone 720-377-0773)  
Hensley Kim & Edgington, LLC  
1660 Lincoln Street, Suite 3050  
Denver, CO 80264

I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: FERNANDO, BOUFFARD FITA

Inventor's Signature:  Date: \_\_\_\_\_

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